

DECLARATION OF ARMOND BUDISH

I, Armond Budish, declare under penalty of perjury pursuant to 28 U.S.C. § 1746 that the following is true and correct:

1) My name is Armond Budish. I am over the age of eighteen and am competent to testify to the facts in this declaration based upon my personal knowledge.

2) I am currently the elected County Executive of Cuyahoga County Ohio (“the County”). I assumed this office on January 1, 2015. My current term expires at the end of 2022.

3) As County Executive, pursuant to the County Charter, I am the Chief Executive Officer of Cuyahoga County, Ohio. Over 4,000 County people are in the employ of County Executive agencies. These employees include emergency services workers, law enforcement officers, social workers, public works employees and others.

4) In my position, I am regularly responding to urgent inquiries from my directors and their subordinates and addressing other emergent issues.

5) I am responsible for reviewing and signing-off on dozens of decisions made by my subordinates. I am also briefed or kept apprised of many more issues concerning the County, including legislative matters, policy issues, and budgetary matters.

6) I am aware that the County is a party to numerous lawsuits concerning a variety of issues and claims.

7) Some of these lawsuits may contain claims that, at some high level, I may have made a decision or implemented a policy that may have had some indirect, downstream effect to a litigant in that lawsuit. But my directors and some of their reports would be as knowledgeable about those decisions or policies as I am. My directors and their subordinates are also authorized to make many decisions on their own and without consulting me.

8) On April 21, 2022, I received a subpoena to testify in the matter of *Tabatha Jackson, et. al v. Cuyahoga County, et. al.* (N.D. Ohio No. 1:20cv2649) on May 19, 2022. An individual served the subpoena on my wife at our residence. The subpoena did not include a check for witness fees. Moreover, the subpoena did not include the text of Federal Rules of Civil Procedure 45(d) and (e).

9) I understand that the *Jackson* case involves allegations related to the condition and operation of the Cuyahoga County Corrections Center (“the County Jail”). I understand that my testimony is being sought concerning the County’s program of “regionalizing” a number of government services beginning in 2010 and continuing to the present, as well as the County’s decision to invite the United States Marshals’ Service to conduct a review of the County Jail. Although I am familiar with both decisions, I do not believe that I possess unique personal knowledge of either.

10) I am concerned that, if the subpoena in the *Jackson* matter is not quashed, I will be routinely subpoenaed to testify about County policies and decisions in depositions in civil cases. I understand that, by rule, each deposition could last as long as seven hours in each such instance. Based on the number of civil cases against the County and its employees at any given time, I am concerned that these obligations will substantially impair my ability to fulfil the duties of my office.

11) At present, I am involved with the following significant activities:

- a. Protecting the public from the COVID-19 pandemic, the worst public health emergency in memory;
- b. Planning the best and most efficient use of \$240 million in American Rescue Plan funds earmarked for the County;

- c. Planning the distribution of \$75 million in emergency rental assistance;
- d. Coordinating efforts to seek, apply for and obtain other state and federal funds, many of which involve extensive and time-sensitive application procedures;
- e. Recruiting for and filling multiple senior leadership positions in the County, including: Sheriff; Public Safety Chief; Director of Senior and Adult Services; Director of Early Childhood Services; and Director of Children and Family Services; and
- f. Planning for the construction of a new County Jail.

I declare under penalty of perjury that the foregoing is true and correct. Executed on

May 4, 2022


ARMOND BUDISH